

[5th February 1925]

Mr. R. VEERIAN :—"Am I to take it, Sir, that this is a very trivial matter and that the Government do not call for the information for that reason? Is this a very trivial matter, Sir, the holding of a public examination in a private hall?"

The hon. the PRESIDENT :—"The hon. Member for the Government having said that he does not consider the matter to be of sufficient importance, it is not necessary for the hon. Member to press the matter now. He may return to it in some other way if he likes."

Local Boards and Municipal Councils.

Election of the Chairman of the Dindigul Municipality.

* 121 Q.—Mr. V. HAMID SULTAN MARAKKAYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Vice-Chairman, Dindigul Municipal Council, reported to the Government about the misbehaviour of certain councillors (which is said to have been the reason for the withdrawal of the elective privilege) about the close of March 1924 and again on 19th May 1924 and again on 23rd May 1924 about the tumultuous behaviour of certain councillors on 21st May 1924, i.e., during the time of the Chairman's election;

(b) whether he requested the Government to depute the Inspector of Municipalities to hold an enquiry into the affair;

(c) if the answer to items (a) and (b) be in the affirmative, what orders were passed thereon;

(d) whether the Subdivisional Magistrate had not issued on 21st May 1924 an order under 144, Criminal Procedure Code, in his magisterial capacity prohibiting all persons except the councillors in the meeting hall and whether Mr. C. Ponnuswami Nayudu alone was allowed as an exception;

(e) whether the Vice-Chairman has not in the reports made mention that the presence of Mr. C. Ponnuswami Nayudu in the meeting hall at the time of certain meetings mainly contributed to the misbehaviour of the councillors;

(f) whether it is a fact that the Subdivisional Magistrate held an enquiry as to whether Mr. Angamuthu Pillai was an elected councillor and, if the answer be in the affirmative, the provision of law under which he held this enquiry;

(g) whether it is not a fact that the Government directed about 10th June 1924 that either Mr. Muhammad Meera Sahib or Mr. R. Ramaswami Nayudu should establish their claim to the Chairmanship through a court of law;

(h) whether it is a fact that Muhammad Meera Sahib had accordingly filed a declaratory suit in the Sub-Court which is still pending and that a temporary injunction was granted to him restraining Mr. R. Ramaswami Nayudu from interfering with the duties of Chairman;

(i) whether it is a fact that the Vice-Chairman sent on 21st May 1924 a notification under the rules, for publication in the *Fort St. George Gazette*, declaring Muhammad Meera Sahib as elected Chairman and, if the answer be in the affirmative, why it was withheld;

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(j) why the Government on 9th July 1924 issued an order to the Council to show cause why the privilege of electing its Chairman should not be withdrawn when the case as to who was the legal Chairman was *sub judice* and in the face of their orders directing the rival candidates to go to a court of law and establish their claims ;

(k) whether it is a fact that Mr. Ramaswami Nayudu was appointed a councillor about the close of April 1924 when there was no vacancy and whether any report was submitted by the Chairman to Government in this connexion ; and

(l) whether the Collector unduly interfered with the duties of Mr. Muhammad Meera Sahib as Chairman even though he was advised by the Vice-Chairman that he was the duly-elected Chairman ?

A.—The matter having been fully discussed at the meeting of the Legislative Council held on 5th December 1924 the Government are not prepared to furnish any further information.

Mr. S. SATYAMURTI :—“ There are points, Sir, in this question which were not referred to either on one side or the other. Clauses (b), (c), (d), (e) and (k), as far as I can find out, raise questions which were not adumbrated either on the one side or the other. I am asking the hon. Minister now to answer those questions. I will put them one by one if he wants ? ”

The hon. the RAJA OF PANAGAL :—“ Sir, I think that these questions are answered by the answer given already. As a matter of fact when the discussion on the subject took place in this House, these questions were answered.”

Mr. S. SATYAMURTI :—“ May I specifically ask then, so that the hon. Minister may refresh his memory, whether the vice-chairman did or did not send his report stating that the presence of Mr. Ponnuswami Nayudu mainly contributed to the misbehaviour of the councillors ? ”

The hon. the RAJA OF PANAGAL :—“ May I know, Sir, whether it is a supplementary question arising from the answer given to the question.”

Mr. S. SATYAMURTI :—“ I am entirely in your hands, Sir. I submit a supplementary question is a question which tries to elucidate the answer given in answer to a question. My submission, Sir, is that certain parts of the question have not been answered. It may mean anything. But I am entitled to question the Government why they have not answered. I am asking now with regard to a particular part of the question and if the Government say ‘ We won’t answer,’ I will ask other questions. But I ask you, Sir, to say whether this is not a supplementary question ? ”

The hon. the PRESIDENT :—“ I hope the hon. Member evidently realises the inconvenience of putting quite a number of questions although it is not his fault. As the hon. Member considers that the Government are not prepared to furnish any further information I think the best thing would be to repeat these questions separately and ask for the information since the Government are not prepared to answer them now.”

Mr. S. SATYAMURTI :—“ I would act upon the suggestion, Sir. But I am asking for a ruling as to whether my question is or is not a supplementary question. If it is supplementary question, the hon. Minister should either answer or keep quiet if he does not want to answer.”

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The hon. the PRESIDENT:—"If the Government say that they are not prepared to furnish any further information and if the hon. Member is of opinion that the information furnished is not sufficient, it is a direct negative. I think it is open to him to raise the question in a separate form and take other opportunities."

Mr. S. SATYAMURTI:—"You have been referring to other 'opportunities.' I frankly say there are no opportunities. What are the opportunities? If we send up resolutions they never come. The questions come weeks after. The adjournment motions usually get disallowed by the Governor. What are we to do?"

Mr. P. L. MOORE:—"On a point of order, Mr. President, is the hon. Member in order in discussing the ruling which you, as President, have given?"

Mr. S. SATYAMURTI:—"So far as I have heard, you have not given any ruling, Sir. You have given me a suggestion which I am accepting. I am asking you to give a ruling. And if you are giving a ruling, I will take it in a much better spirit than those sitting on the other side."

The hon. the PRESIDENT:—"It is not correct to say that it is not a supplementary question. It is a question of a sort and I would advise the hon. Member to put the question again. He has agreed to do so and I think we may close the question for the present at that."

Nomination of Mr. R. Ramaswami Nayudu to the Dindigul Municipality.

* 122 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether Mr. R. Ramaswami Nayudu was nominated as a member of the Dindigul Municipal Council in April last on the recommendation by telegram of the Collector of Madura;

(b) the necessity for taking this extraordinary step instead of following the usual correspondence;

(c) whether at the time of nominating the said Mr. R. Ramaswami Nayudu the Government were aware that a Civil Revision Petition filed by him against the order of the Subordinate Judge declaring his election void was pending in the High Court;

(d) whether subsequent to nomination the Civil Revision Petition was withdrawn by him;

(e) whether the said Mr. R. Ramaswami Nayudu stood for the Chairmanship in May 1924 and was defeated; and

(f) whether any representations were made by him to Government to deprive the Council of the privilege of electing its Chairman?

A.—(a) The answer is in the affirmative. The Collector has sent a telegram in addition to the usual official communication.

(b) There was nothing extraordinary in the step taken by the Collector.

(c) The answer is in the affirmative.

(d) The Government have no information.

(e) Mr. Ramaswami Nayudu stood for the chairmanship and one party represented that he was defeated.

(f) The answer is in the negative.